



## INFORMAL RESTRUCTURING INDIVIDUAL MATTER



Authorised Financial Services Provider • FSP Number 38225

We do ordinary things, *extra-ordinarily* well



Licensed non-life insurer and authorised financial services provider

### INFORMAL RESTRUCTURING defined

Companies often consider Informal Restructuring as an alternative to business rescue.

An informal restructuring requires a company to work with some or all of its creditors outside of a formal process in order to come to a negotiated solution where the company can return to financial health.

Informal restructurings have been said to have a higher success rate than business rescue, because of the significant advantages it has over business rescue.

Due to the informal nature of doing business under an informal restructuring process the level of transparency and accountability creates trust in the process. Additionally, as informal restructurings are usually confidential, (no media or public court system) the company's reputation and market value, relationships with employees and supplier are preserved.

Genoa Underwriting Managers (FSP No 38225) on behalf of Safire Insurance Company Limited (FSP No 2092) offers a bespoke Professional Indemnity Policy on a very selective basis for corporate restructuring advisory services provided by an Advisory Firm.

Professional Indemnity is underwritten on a **claims-made basis** and is designed to indemnify the Advisory Firm and the named Consultants in respect of their legal liability to pay compensation (including claimant's costs, fees and expenses) as a result of actual or alleged act(s) or omission(s) amounting to negligence in the exercise of their Professional Advisory Services.

Cover is issued on an **individual matter** basis with quarterly, half yearly or annual payment options on offer.

The policy is extended to include **Consultant(s)** mandated in terms of a consultancy agreement with the Insured to perform corporate restructuring advisory services limited to the following:

- a) give corporate restructuring advice to the Insured on behalf of the entity;
- b) conduct due diligences on the business activities of the entity;
- c) Implement any restructuring procedures in accordance with any specialist legal or technical advice received by the entity;
- d) such other advisory services as may be reasonably required by the Insured on behalf of the Entity from time to time

An **Extended Reporting Period (ERP)** of 12, 24 or 36 months may be selected. The ERP extends the period of time in which to report a claim after termination of the individual policy provided that:

- a. the cause or circumstances giving rise to the claim occurred during the Period of Insurance; and
- b. indemnity is excluded where causes or circumstances which give rise to a claim, occurred during the Extended Reporting Period. allows the Insured to notify Insurers of a claim after termination of the policy the business rescue has been terminated for the reason set out in the policy wording.

We give each client the promise of quick and efficient resolution of claims and a team of professionals to appoint where defence is required

Specific documents pertaining to your mandate with the entity will be required by Genoa to assess the eligibility for cover and for a quotation to be provided.

### PLEASE NOTE

The above is meant to be a summary of the cover and at all times, the terms and conditions contained in the Policy Wording and Schedule of Cover will take precedence should a conflict arise.

*Terms and Conditions apply.*